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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BFI
5/11/01

In Re Application of:)

Art Unit: 2153

Curry)

Atty. Docket 44884.12.1

Serial No. 09/449,237)

Examiner: B. Edelman

Filed: November 24, 1999)

For: METHOD AND SYSTEM FOR)
PROVIDING ON-LINE WELLNESS AND)
RETAIN ACCESS THROUGH A)
DISTRIBUTED NETWORK)

Hon. Commissioner of)
Patents and Trademarks)
Washington, D.C. 20231)

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CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of EL486397049US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 27th day of April, 2001.

By Stacy Bickel
Stacy Bickel

Dear Sir:

RESPONSE

In response to the Office Action mailed October 27, 2000, please consider the following response.

Remarks

Applicant has carefully reviewed the Office Action mailed October 27, 2000. Claims 1-80 are pending. Claims 1-80 were rejected under 35 U.S.C. Section 103(a).

In the Office Action, Claims 1-2, 4-5, 9, 11-19, and 26-37 were rejected under 35 U.S.C. 103(a) as being unpatentable over Levergood et al. (U.S. Patent No. 5,708,780) in view of Szabo (U.S. Patent No. 5,954,640), and further in view of Baker et al. (U.S. Patent No. 5,678,040). Claim 1 recites a method of providing wellness-related services through a distributed communications network comprising: identifying a portal with a portal identifier; storing the portal identifier associated with the portal in a database; sending a request from the portal to an on-line wellness-related site; processing the request at a controller to determine whether the request was from the portal; assigning an access code to the user, the access code defining a level of wellness-related services available to the user; and providing services to the user through the distributed network that correspond to the user's access code.

The Office Action states that Levergood et al. disclose a method of providing services to an authorized user comprising as signing an access code to the user, the access code defining a level of services available to the user. Applicant respectfully submits that Levergood et al.